

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

KIRSHA BROWN-YOUNGER,

Plaintiff,

vs.

STATE OF NEVADA, LABOR  
COMMISSIONER,

Defendant,

2:11-cv-539-GMN-RJJ

REPORT & RECOMMENDATION  
OF UNITED STATES  
MAGISTRATE JUDGE

This matter is before the Court to determine the status of the case. Upon review, the Court makes the following findings:

1. On April 11, 2011, Plaintiff, Kirsha Brown-Younger filed an Application to Proceed in District court Without Prepaying Fees or Costs (#1) with a proposed complaint attached thereto. *See*, IFP Application (#1).
2. On May 23, 2011, the Court held a hearing on the IFP Application (#1). At said hearing the Court denied Plaintiff's IFP Application (#1) and ordered Plaintiff to file a new IFP application and amended complaint on or before May 31, 2011.
3. Following the hearing on May 23, 2011, Plaintiff filed various appeals with the Ninth Circuit Court of Appeals. Said motions were subsequently dismissed by the Ninth Circuit Court of Appeals. *See*, Order of USCA Ninth Circuit (#48).
4. On July 11, 2011, the court ordered Plaintiff to file a new IFP application on or before August 19, 2011. *See*, Order (#50).

....

- 1           5.     On September 6, 2011, Plaintiff filed an Application to Proceed in District Court
- 2                 Without Prepaying Fees or Costs (#61).
- 3           6.     Plaintiff also filed on September 6, 2011, a Motion Requesting Deadline to
- 4                 Submit Amended Complaint (#60).
- 5           7.     On September 13, 2011, the Court entered a Minute Order in Chambers (#62)
- 6                 scheduling a hearing for October 6, 2011, on the new IFP Application (#61).
- 7           8.     On September 13, 2011, the Court also entered an Order (#63) granting Plaintiff's
- 8                 Motion Requesting Deadline to Submit Amended Complaint (#60).
- 9           9.     Plaintiff failed to appear for the hearing scheduled for October 6, 2011. Further,
- 10                Plaintiff failed to request an extension of said hearing and failed to provide the
- 11                court with a reason for her non-appearance.
- 12           10.    As of the date of this Report and Recommendation, Plaintiff has failed to file an
- 13                amended complaint pursuant to the Court's Order (#63). Further, Plaintiff has not
- 14                requested an extension to file said amended complaint.

15           Good cause appearing therefore,

16                                 **RECOMMENDATION**

17           IT IS THE RECOMMENDATION of the undersigned Magistrate Judge that this case be

18 **DISMISSED WITH PREJUDICE.**

19           DATED this 29th day of December, 2011.

20

21

22     
23   ROBERT J. JOHNSTON  
24   United States Magistrate Judge

25

26

27

28